

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	Criminal Action No.
v.)	13-00200-01-CR-W-DGK
)	
HEATHER R. EICHOLZ,)	
)	
Defendant.)	

**MEMORANDUM OF MATTERS DISCUSSED AND
ACTION TAKEN AT PRETRIAL CONFERENCE**

Pursuant to the order of the Court en banc of the United States District Court for the Western District of Missouri, a pretrial conference was held in the above-entitled cause before me on July 31, 2013. Defendant Heather Eicholz appeared in person and with appointed counsel Jonathan Truesdale. The United States of America appeared by Assistant United States Attorney Leena Ramana.

I. BACKGROUND

On May 22, 2013, an indictment was returned charging defendant with one count of conspiracy to possession with intent to distribute methamphetamine, in violation of 21 U.S.C. § 846, and two counts of possession with intent to distribute methamphetamine, in violation of 21 U.S.C. §§ 841(a)(1) and (b)(1)(B).

The following matters were discussed and action taken during the pretrial conference:

II. TRIAL COUNSEL

Ms. Ramana announced that she and Sydney Sanders will be the trial counsel for the government. The case agent to be seated at counsel table is Brian Jobe, Kansas City Police Department.

Mr. Truesdale announced that he will be the trial counsel for defendant Heather Eicholz.

III. OUTSTANDING MOTIONS

There are no pending motions in this case.

IV. TRIAL WITNESSES

Ms. Ramana announced that the government intends to call 10 to 12 witnesses without stipulations or 9 to 11 witnesses with stipulations during the trial.

Mr. Truesdale announced that defendant Heather Eicholz intends to call no witnesses during the trial. The defendant will not testify.

V. TRIAL EXHIBITS

Ms. Ramana announced that the government will offer approximately 20 exhibits in evidence during the trial.

Mr. Truesdale announced that defendant Heather Eicholz will offer no exhibits in evidence during the trial.

VI. DEFENSES

Mr. Truesdale announced that defendant Heather Eicholz will rely on the defense of general denial.

VII. POSSIBLE DISPOSITION

Mr. Truesdale stated this case is probably not for trial.

VIII. STIPULATIONS

Stipulations are likely as to chain of custody and chemists' reports.

IX. TRIAL TIME

Counsel were in agreement that this case will take 2 days to try.

X. EXHIBIT LIST, VOIR DIRE AND INSTRUCTIONS

The U. S. Magistrate Judge ordered:

That, in addition to the requirements of the Stipulations and Orders filed July 2, 2013, counsel for each party file and serve a list of exhibits he or she intends to offer in

evidence at the trial of this case on the form entitled Exhibit Index and have all available exhibits premarked using the stickers provided by the Clerk of Court by Wednesday, July 31, 2013;

That counsel for each party file and serve requested jury voir dire examination questions by or before noon, Wednesday, August 7, 2013;

That counsel for each party file and serve, in accordance with the requirements of Local Rule 51.1, requested jury instructions¹ by or before noon, Wednesday, August 7, 2013. Counsel are requested to provide proposed jury instructions in both hard copy form, as required by Local Rule 51.1, and by e-mail to the trial judge's courtroom deputy.

XI. UNUSUAL QUESTIONS OF LAW

No motions in limine are anticipated. There are no unusual questions of law.

XII. TRIAL SETTING

All counsel and the defendant were informed that this case will be listed for trial on the joint criminal jury trial docket which commences on August 12, 2013.

/s/ Robert E. Larsen
ROBERT E. LARSEN
United States Magistrate Judge

Kansas City, Missouri
July 31, 2013

¹Counsel in all cases assigned to be tried before Chief Judge Fernando Gaitan, Jr., as reflected in the forthcoming trial letter, shall meet and prepare a packet of agreed proposed jury instructions to be submitted to Judge Gaitan and e-mailed to marylynn_shawver@mow.uscourts.gov and rhonda_enss@mow.uscourts.gov by Friday, August 9, 2013. To the extent there are disagreements to certain instructions, each attorney shall tab and submit his or her preference on those instructions. The instructions shall be listed in the order they are to be given.